

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
HOT SPRINGS DIVISION

LINDA D. MANZEY

PLAINTIFF

vs.

Civil No. 6:06-cv-06082

DEPT. OF VETERANS AFFAIRS
OF THE UNITED STATES OF AMERICA

DEFENDANT

ORDER

On September 11, 2007, Defendant, the Department of Veterans Affairs of the United States of America, moved to compel Plaintiff to respond to Defendant's first set of interrogatories and requests for production of documents. (Doc. No. 6). On October 15, 2007, Plaintiff responded to Defendant's motion and requested additional time to respond to Defendant's discovery requests. (Doc. No. 12). In her response, Plaintiff stated that she had been unable to respond to Defendant's discovery requests due to her medical condition.

This Court held a hearing on this motion on October 22, 2007 in Hot Springs, Arkansas. Plaintiff's counsel indicated during this hearing that Plaintiff would be able to promptly respond to these discovery requests. Accordingly, considering the motion, response, supporting briefing, and arguments of counsel, this Court finds that the Motion to Compel (Doc. No. 6) is well-taken and should be **GRANTED**. This Court hereby orders Plaintiff to respond to Defendant's first set of interrogatories and requests for production of documents on or before **October 31, 2007**.

Furthermore, pursuant to Federal Rule of Civil Procedure 37(a)(4)(A), when a motion to compel is granted, this Court is authorized to award the moving party reasonable expenses incurred

in bringing the motion, including attorney's fees. Defendant has requested that this Court award costs of \$62.46. The Defendant specifically stated it did not seek an award of attorney's fees. Further, Plaintiff does not object to an award of reasonable costs incurred by Defendant in bringing this motion. Thus, this Court also awards to the U.S. Department of Justice¹ a total of \$62.46, the costs Defendant incurred in bringing this motion, said costs to be paid by Plaintiff within thirty days of the date of this Order.

ENTERED this 23rd day of October, 2007.

/s/ Barry A. Bryant
Honorable Barry A. Bryant
United States Magistrate Judge

¹The Defendant is represented by the United States Department of Justice, and specifically by the United States Attorney's Office for the Western District of Arkansas. The costs incurred by the Defendant in relation to the Motion to Compel filed herein were borne by the Department of Justice.